

AMENDED IN SENATE MARCH 20, 2013

SENATE BILL

No. 231

Introduced by Senator Correa

(Coauthor: Senator Block)

(Coauthors: Assembly Members Ammiano, Lowenthal, and Ting)

February 11, 2013

An act to add Article 11 (commencing with Section 33450) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to bullying.

LEGISLATIVE COUNSEL'S DIGEST

SB 231, as amended, Correa. ~~Bullying and peer abuse prevention hotline.~~ *Bullying: California Bullying Prevention Hotline.*

~~Existing law protects the safety and welfare of students and other individuals.~~ *defines "bullying" as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, and including one or more acts of sexual harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or a group of pupils, that would cause a reasonable pupil, as defined, to be in fear of harm to his or her person or property, to experience a substantially detrimental effect on his or her physical or mental health, to experience substantial interference with his or her academic performance, or to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.*

~~This bill would state the intent of the Legislature to enact legislation that would establish a bullying and peer abuse prevention hotline.~~ *enact the Michael Joseph Berry Peer Abuse Prevention and Awareness Act*

of 2013, pursuant to which the California Bullying Prevention Hotline would be established. The hotline would be administered by the State Department of Education. The bill would require the State Department of Education, in consultation with the Student Mental Health Initiative of the State Department of Health Care Services and other entities deemed appropriate, to contract with an entity that has experience in hotline telephone services, behavioral health services, crisis prevention and intervention services, suicide prevention and intervention services, and with providing services in a linguistically and culturally competent manner. The bill would specify the types of information to be communicated to callers to the hotline. The bill would require the State Department of Education to recommend to school districts appropriate guidelines, best practices, and information that school districts may disseminate to pupils and their families about the existence, goals, and objectives of the California Bullying Prevention Hotline.

The bill would provide that its operation in any fiscal year is contingent upon the certification by the Superintendent of Public Instruction that sufficient funding is available for the implementation of this bill in that fiscal year.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 11 (commencing with Section 33450) is
2 added to Chapter 3 of Part 20 of Division 2 of Title 2 of the
3 Education Code, to read:

4

5 Article 11. The Michael Joseph Berry Peer Abuse Prevention
6 and Awareness Act of 2013

7

8 33450. (a) This article shall be known, and may be cited, as
9 the Michael Joseph Berry Peer Abuse Prevention and Awareness
10 Act of 2013.

11 (b) It is the intent of the Legislature to enact legislation to
12 establish a California Bullying Prevention Hotline, which shall
13 address issues relating to bullying and peer abuse, with a
14 particular focus on those issues that are impacting pupils in
15 kindergarten and grades 1 to 12, inclusive, and their families,
16 peers, and communities.

1 33451. (a) *The California Bullying Prevention Hotline shall*
2 *be administered by the State Department of Education.*

3 (b) *The State Department of Education, in consultation with the*
4 *Student Mental Health Initiative of the State Department of Health*
5 *Care Services and other entities as deemed appropriate by the*
6 *State Department of Education, shall contract with an entity that*
7 *has experience in all of the following areas:*

8 (1) *Hotline telephone services, which are nationally accredited*
9 *and provided on a regional or statewide basis.*

10 (2) *Behavioral health services.*

11 (3) *Crisis prevention and intervention services.*

12 (4) *Suicide prevention and intervention services.*

13 (5) *Providing services in a linguistically and culturally*
14 *competent manner.*

15 33452. (a) *The overarching goals and objectives of the*
16 *California Bullying Prevention Hotline shall include, but not*
17 *necessarily be limited to, communicating with callers and providing*
18 *information about all of the following:*

19 (1) *Assessment of the bullying and peer abuse reported by*
20 *callers.*

21 (2) *Ensuring the safety of individuals, as related to bullying and*
22 *peer abuse.*

23 (3) *Educating callers about the causes and prevention of*
24 *bullying and peer abuse.*

25 (4) *Referring callers to resources for addressing bullying and*
26 *peer abuse.*

27 (b) *The specific responsibilities, activities, and services that*
28 *shall be provided through the California Bullying Prevention*
29 *Hotline shall be determined by the State Department of Education,*
30 *in collaboration with the Student Mental Health Initiative of the*
31 *State Department of Health Care Services and other entities as*
32 *deemed appropriate by the State Department of Education, and*
33 *shall also include appropriate input and recommendations from*
34 *pupils, advocates, families, community-based organizations, and*
35 *individuals who have expertise in issues related to mental health,*
36 *peer abuse and bullying, and cultural and linguistic competence.*

37 (c) *The State Department of Education shall recommend to*
38 *school districts appropriate guidelines, best practices, and*
39 *information that school districts may disseminate to pupils and*

1 *their families about the existence, goals, and objectives of the*
2 *California Bullying Prevention Hotline.*

3 *(d) The State Department of Education shall recommend to*
4 *school districts that appropriate information about the California*
5 *Bullying Prevention Hotline also be included on their Internet*
6 *Web sites and in any new revisions of their comprehensive school*
7 *safety plans as well as any new materials, such as their annual*
8 *parent newsletter, that are developed relating to issues of bullying*
9 *or peer abuse.*

10 *(e) The State Department of Education shall also recommend*
11 *that school districts provide information on the California Bullying*
12 *Prevention Hotline to all pupils, and their families, who are*
13 *involved in any complaint procedure related to complaints of peer*
14 *abuse, bullying, harassment, or discrimination.*

15 *33453. The operation of this article in any fiscal year is*
16 *contingent upon the certification by the Superintendent that*
17 *sufficient funding is available for the implementation of this article*
18 *in that fiscal year.*

19 ~~SECTION 1. It is the intent of the Legislature to enact~~
20 ~~legislation that would establish a bullying and peer abuse~~
21 ~~prevention hotline.~~